



PATENT CASE CV01492K

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

-----X  
In re Application of: :  
T. Kosoglou et al. : Examiner: **Mojdeh Bahar**  
: :  
For: **Combinations of Sterol Absorption** : Group Art Unit: **1617**  
      **Inhibitor(s) with Blood Modifier(s)** : :  
      **for Treating Vascular Indications** : Date: **April 16, 2004**  
: :  
Serial No.: **10/056,680** : :  
Filed: **01/25/2002** : :  
-----X

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 56, it is requested that the documents listed on the accompanying PTO-1449 Form be considered and made of record in the above-identified patent application. Copy(ies) of these references ☒ are attached ☐ were filed in related application U.S. Serial No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

(b) No fee is believed due because:

- ☐ This Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- ☐ This Information Disclosure Statement is being concurrently filed with the above-identified application.
- ☐ This Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
- ☐ This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

(c) ☒ This Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the


knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

- ☒ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- (d) ☐ This Information Disclosure Statement is being filed on or before the payment of the issue fee; and
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and
- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365, Patent Case No. CV01492K.

Respectfully submitted,  
SCHERING-PLOUGH CORPORATION

Dated: **April 16, 2004**  
SCHERING-PLOUGH CORPORATION  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
Facsimile No.: (908) 298-5388

By:

  
Name: **Ann Marie Cannoni**  
Reg. No.: **35,972**  
**Attorney of Record**  
Telephone No.: (908) 298-5024

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450 ON APRIL 16, 2004  
(DATE OF DEPOSIT)

**ANN MARIE CANNONI, REG. NO. 35,972**  
(REGISTERED REPRESENTATIVE)

  
(SIGNATURE AND DATE)

Sheet 1 of 1

FORM TO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:  
**CV01492K**APPLICATION NO.:  
**10/056,680****INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**APPLICANT:  
**T. KOSOGLOU, et al.**FILING DATE:  
**01/25/2002**GROUP:  
**1617***(Use several sheets if necessary)***U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

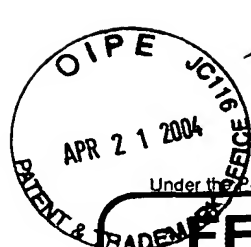
**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AQ	T. Kosoglou <i>et al.</i> , "CoAdministration of Simvastatin and Ezetimibe Leads to Significant Reduction in LDL-Cholesterol", Proceedings of 3 <sup>rd</sup> International Congress on Coronary, Artery Disease from Prevention to Intervention, Lyon, France p. 71 (2000), XP008027568
AR	
AS	
AT	
AU	
AV	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Image

1617 \$

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0022

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

## Complete if Known

Application Number	10/056,680
Filing Date	01/25/2002
First Named Inventor	T. Kosoglou
Examiner Name	Mojdeh Bahar
Art Unit	1617
Attorney Docket No.	CV01492K

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 19-0365

Deposit Account Name: Schering-Plough Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$)
					180.00

## FEE CALCULATION

1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	0.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims:  -20\*\* =  X  =

Independent Claims:  -3\*\* =  X  =

Multiple Dependent:  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

\*\*or number previously paid, if greater; For Reissues, see above

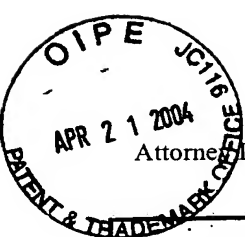
SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Ann Marie Cannoni	Registration No. (Attorney/Agent)	35,972
Signature		Telephone	908-298-5024
		Date	04/16/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No.: CV01492K

PTO/SB/92 (08-03)

(Modified)

Application No.: 10/056,680

Filing Date: 01/25/2002

Applicant: T. Kosoglou et al.

Title: "Combinations of Sterol Absorption Inhibitor(s) with Blood Modifier(s) for Treating Vascular Indications"

### Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on 04/16/2004  
Date

Signature

Ann Marie Cannoni, Reg. No. 35,972

Typed or printed name of person signing Certificate

**Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.**

Documents enclosed:

Certificate of Mailing - 1pg.

Supplemental Information Disclosure Statement - 2 pgs.

PTO-1449 Form - 1pg. in dup

Reference (1)

Post Card

Fee Transmittal PTO/SB/17 - 1 Page in duplicate

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*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*